

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AMIEE JO STOREY,

Plaintiff,

v.

Case No.: 2:21-cv-293-SPC-NPM

CAPITAL LINK MANAGEMENT,
LLC,

Defendant.

_____ /

ORDER¹

Before the Court is Defendant's Rule 68 Offer of Judgment ([Doc. 35-1](#)), which Plaintiff accepted ([Doc. 35](#)). The parties agreed to the Offer of \$2,501 "plus reasonable attorneys' fees and taxable costs incurred . . . to be determined by agreement of the parties and, if the parties cannot agree, by the Court upon Motion of the Plaintiff." ([Doc. 35-1 at 1](#)). Rule 68 allows parties to agree on "an offer to allow judgment on specified terms, with the costs then accrued." [Fed. R. Civ. P. 68\(a\)](#). Because Plaintiff is in bankruptcy, however, the Bankruptcy Court needed to review the settlement. In doing so, it

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approved the parties' resolution. *In re Storey*, No. 2:20-bk-06356-FMD, at (Doc. 72) (Bankr. M.D. Fla. Dec. 7, 2021). Considering the accepted Offer, the Bankruptcy Court's approval, and relevant law, the Court will enter judgment on the agreed terms.

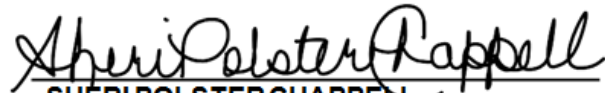
One final note. The Court will not specifically retain jurisdiction, as Plaintiff requests. This Court need not specifically retain jurisdiction to award fees and costs after judgment. In fact, Plaintiff must move for fees and costs following judgment. [Local Rule 7.01\(a\)-\(b\)](#) (procedure for fees); see [Fed. R. Civ. P. 54\(d\)\(1\)](#) (procedure for taxable costs). If the parties need more time to resolve the matter without Court involvement, they may seek an extension of time. Otherwise, the Court follows its normal procedure—allowing the prevailing party to move for fees and costs within fourteen days of judgment.

Accordingly, it is now

ORDERED:

1. The Clerk is **DIRECTED** to enter judgment for Plaintiff and against Defendant in the amount of **\$2,501, plus reasonable attorney's fees and taxable costs** (as determined by the parties or Court on Plaintiff's motion).
2. The Clerk is **DIRECTED** to deny any pending motions as moot, terminate all deadlines, and close the case.

DONE and **ORDERED** in Fort Myers, Florida on December 13, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record